

PATENT & TRADEMARK  
DIVISION**Jenkins & Gilchrist**

A PROFESSIONAL CORPORATION

2006 JAN 18 PM 4: 27

US PATENT & TRADEMARK  
OFFICE1445 ROSS AVENUE  
SUITE 3700  
DALLAS, TEXAS 75202(214) 855-4500  
FACSIMILE (214) 855-4300

www.jenkins.com

Andre M. Szuwalski  
(214) 855-4795  
aszuwalski@jenkens.comAUSTIN, TEXAS  
(512) 499-3800  
CHICAGO, ILLINOIS  
(312) 425-3900  
HOUSTON, TEXAS  
(713) 951-3300  
LOS ANGELES, CALIFORNIA  
(310) 820-8800  
PASADENA, CALIFORNIA  
(626) 578-7400  
SAN ANTONIO, TEXAS  
(210) 246-5000  
WASHINGTON, D.C.  
(202) 326-1500

January 12, 2006

MAIL STOP 16  
Director of the US Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450Re: REQUEST FOR REFUND  
Deposit Account No. 10-0447

Dear Sir/Madam:

Upon review of the Jenkins & Gilchrist monthly Deposit Account Statement for the month of December 2005 (copy attached), it is our belief that the following charge for a two month extension of time was made in error:

| DATE      | SEQ | POSTING REF TXT | DOCKET NO.   | FEE CODE | AMOUNT   |
|-----------|-----|-----------------|--------------|----------|----------|
| 12/5/2005 | 2   | 10749020        | 61181-10USPX | 1250     | \$450.00 |

An amendment was filed on November 23, 2005 in response to the first Office Action dated August 25, 2005 in connection with U.S. Serial No. 10/749,020. A shortened statutory period for reply was set at 3 months from the mailing date of the Office Action. A copy of the Office Action Summary is enclosed for ready reference. Also enclosed is a copy of the return postcard which has the PTO's date-stamp of November 28, 2005. There accordingly should not have been a deposit account charge for a two month extension of time.

It is respectfully requested the Patent Office issue a refund in the amount of \$450.00 to the Jenkins & Gilchrist Deposit Account No. 10-0447.

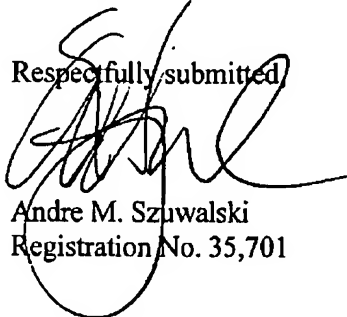
# Jenkins & Gilchrist

A PROFESSIONAL CORPORATION

Refund Branch  
January 12, 2006  
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Please feel free to contact me if there are any questions.

Respectfully submitted



Andre M. Szuwalski  
Registration No. 35,701

AMS/mfb  
Enclosures

## Deposit Account Statement

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Patent and  
Trademark Office

USPTO  
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**Deposit Account Statement**

Requested Statement Month: December 2005  
 Deposit Account Number: 100447  
 Name: JENKENS & GILCHRIST P.C.  
 Attention: MICHAEL RITCHIE  
 Address: 1445 ROSS AVENUE  
 City: DALLAS  
 State: TX  
 Zip: 75202-2799  
 Country: UNITED STATES OF AMERICA

| DATE  | SEQ  | POSTING<br>REF TXT | ATTORNEY<br>DOCKET<br>NBR | FEE<br>CODE | AMT         | BAL         |
|-------|------|--------------------|---------------------------|-------------|-------------|-------------|
| 12/01 | 104  | 10926490           | 27889-00069USC1           | 1806        | \$180.00    | \$40,692.00 |
| 12/02 | 1    | 10823257           | 68349-00011USP X          | 1202        | \$1,000.00  | \$39,692.00 |
| 12/02 | 2    | 10823257           | 68349-00011USP X          | 1252        | \$450.00    | \$39,242.00 |
| 12/02 | 17   | PAYMENT            |                           | 9203        | \$4,325.00  | \$34,917.00 |
| 12/02 | 27   | PAYMENT            |                           | 9203        | \$23,832.00 | \$11,085.00 |
| 12/02 | 75   | 11135115           | 61229-00004USC3           | 1464        | \$130.00    | \$10,955.00 |
| 12/02 | 91   | 11289750           | 64104-00002USP1           | 2011        | \$150.00    | \$10,805.00 |
| 12/02 | 92   | 11289750           | 64104-00002USP1           | 2111        | \$250.00    | \$10,555.00 |
| 12/02 | 93   | 11289750           | 64104-00002USP1           | 2311        | \$100.00    | \$10,455.00 |
| 12/02 | 1170 | 76597023           |                           | 7003        | \$200.00    | \$10,255.00 |
| 12/05 | 1    | 10746878           | 61181-00009USPK           | 1252        | \$450.00    | \$9,805.00  |
| 12/05 | 2    | 10749020           | 61181-00010USPX           | 1252        | \$450.00    | \$9,355.00  |
| 12/05 | 5    | 10439982           |                           | 8021        | \$40.00     | \$9,315.00  |
| 12/05 | 44   | 1241384            | 46715-1296                | 8521        | \$40.00     | \$9,275.00  |
| 12/05 | 45   | 1241384            | 46715-1296                | 8522        | \$450.00    | \$8,825.00  |
| 12/05 | 1131 | 60714717           | 65657-00009USPL           | 8021        | \$40.00     | \$8,785.00  |
| 12/05 | 1137 | 60714716           | 65657-00008USPL           | 8021        | \$40.00     | \$8,745.00  |
| 12/05 | 1151 | 60657235           | 65657-00005USPL           | 8021        | \$40.00     | \$8,705.00  |
| 12/05 | 1158 | 10520029           | 27793-00097USPX           | 8021        | \$40.00     | \$8,665.00  |
| 12/06 | 3    | 10700758           | 62318-00002               | 2251        | \$60.00     | \$8,605.00  |
| 12/06 | 14   | 10331052           | WINTERS 001               | 2251        | \$60.00     | \$8,545.00  |
| 12/06 | 25   | 11019706           | 065119.0225               | 1501        | \$1,400.00  | \$7,145.00  |
| 12/06 | 26   | 11019706           | 065119.0225               | 1504        | \$300.00    | \$6,845.00  |
| 12/06 | 35   | 10822594           | 34650-00179USC3           | 1801        | \$790.00    | \$6,055.00  |
| 12/06 | 1276 | 78767250           |                           | 7001        | \$325.00    | \$5,730.00  |
| 12/07 | 57   | 78375376           | 54357-00016               | 7004        | \$300.00    | \$5,430.00  |
| 12/07 | 231  | 60550658           | 27889-00083USPL           | 8021        | \$40.00     | \$5,390.00  |
| 12/07 | 238  | 60488709           | 27889-0050USPL            | 8021        | \$40.00     | \$5,350.00  |
| 12/07 | 1322 | 76519398           | 63060-00003               | 7004        | \$150.00    | \$5,200.00  |
| 12/07 | 1357 | 76460772           | 61873-00004               | 7004        | \$150.00    | \$5,050.00  |
| 12/08 | 1    | 11294653           | 53807-00134USPT           | 1011        | \$300.00    | \$4,750.00  |
| 12/08 | 2    | 11294653           | 53807-00134USPT           | 1111        | \$500.00    | \$4,250.00  |



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.                         | CONFIRMATION NO. |
|--|-------------|----------------------|---|------------------|
| 10/749,020   | 12/29/2003  | Cesare Clementi      | 61181-00010USPX                             | 8433             |
| 23932 7590 08/25/2005<br>JENKENS & GILCHRIST, PC<br>1445 ROSS AVENUE<br>SUITE 3200<br>DALLAS, TX 75202 |             |                      | EXAMINER<br>CHEN, ERIC BRICE                |                  |
| INTELLECTUAL PROPERTY<br>AUG 29 2005<br>JENKENS & GILCHRIST  |             |                      | ART UNIT<br>1765<br>DATE MAILED: 08/25/2005 |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

\* DOCKETED  
 Int: in PT: 8/29/05  
1st O.A.  
 Action: Cogel Date: 8/25/05  
 Response due 11/25/05  
 Deadline 2/26/06

INTELLECTUAL PROPERTY

NOV 1 2005

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RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|  |                                |
|--|--------------------------------|
| Via: First Class Mail  | Dkt No: 61181-00010USPX        |
| Mailed: November 23, 2005  | AMS/mfb                        |
| Inventor(s): Cesare Clementi et al.  |                                |
| Application No.: 10/749020-Conf. #8433   | Filing Date: December 29, 2003 |
| Title: METHOD FOR MANUFACTURING NON-VOLATILE MEMORY CELLS ON A SEMICONDUCTOR SUBSTRATE |                                |

Documents Filed:

Amendment Transmittal  
Amendment in response to the 1st Office Action dated Aug. 25, 2005  
Acknowledgment postcard



DALLAS2 1135422v1 61181-00010USPX

DOCKETED

Int. 11/28/05 DT. 12/1/05

Action Amended Date 11/28/05

United States Patent and Trademark Office  
- Sales Receipt -

~~12/05/2005 BHARRIS1 00000002 100447 10749020~~  
~~Sale Ref: 00000002 DA#: 100447 10749020~~  
~~01 FC:1252 450.00 DA~~

~~Adjustment date: 01/25/2006 EEKUDAY1~~  
~~12/05/2005 BHARRIS1 00000002 100447 10749020~~  
~~01 FC:1252 450.00 CR~~